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\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Practice Limited to  
Federal Agencies

May 15, 2006

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit 1637**

**Attn: Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Application No. 10/534,689; § 371 Date: January 23, 2006  
For: **Absolute Quantitation of Nucleic Acids by RT-PCR**  
Inventor: Normand E. ALLAIRE  
Our Ref: 2159.0340001/EKS/VSR

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement Filing Under 37 C.F.R. § 1.97(c);
2. Form PTO/SB/08A, 1 page, listing 1 document (FP1);
3. Form PTO/SB/08B, 1 page, listing 2 documents (NPL4 and NPL5);
4. A copy of the cited documents listed on Forms PTO/SB/08A and PTO/SB/08B; and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
May 15, 2006  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Victoria S. Rutherford". The signature is written in a cursive, flowing style.

Victoria S. Rutherford, Ph.D.  
Agent for Applicant  
Registration No. 52,253

VSR/nef  
Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Normand E. ALLAIRE

Appl. No.: 10/534,689

§371 Date: January 23, 2006

For: **Absolute Quantitation of Nucleic  
Acids by RT-PCR**

Confirmation No.: 8249

Art Unit: 1637

Examiner: *To Be Assigned*

Atty. Docket: 2159.0340001/EKS/VSR

**First Supplemental Information Disclosure Statement  
Filing under 37 C.F.R. § 1.97(b)**

*Mail Stop Amendment*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this First Supplemental Information Disclosure Statement is a continuation of the numbering in Applicant's Information Disclosure Statement filed on January 31, 2006, in connection with the above-captioned application.

Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. 10/294,781, filed November 14, 2002, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

In accordance with 37 C.F.R. § 1.98(a)(3), Applicant's undersigned representative submits the following discussion of the relevance of the non-English language document cited on Form PTO/SB/08A:

Document **FP1**, RU 2 194 761 C2, which is cited as an "A" reference on the attached Georgian Search Report, is in the Russian language. An unverified English language abstract of document FP1 is attached as document **NPL4**.

Applicants have not been able to locate RU 99117594, which is also cited as an "A" reference on the attached Georgian Search Report. Therefore, a copy is not attached.

A copy of the English translation of the Georgian Search Report for Georgian Application No. AP 2003 008842, National Centre of the Intellectual Property "Sakpatenti" of Georgia, dated February 13, 2006, is attached as document **NPL5**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

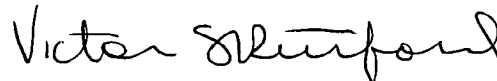
It is respectfully requested that the Examiner review the prosecution and cited art in the parent application no. 10/294,781 in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return copies of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Victoria S. Rutherford, Ph.D.  
Agent for Applicant  
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Substitute for form 1449/PTO

**FIRST SUPPLEMENTAL  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet	1	of	1
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**Complete if Known**

Application Number	10/534,689
§ 371 Date	January 23, 2006
First Named Inventor	Normand E. ALLAIRE
Art Unit	1637
Examiner Name	<i>To Be Assigned</i>
Attorney Docket Number	2159.0340001/EKS/VSR

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

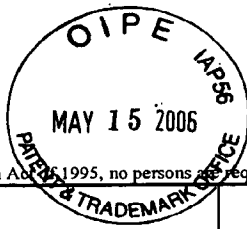
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Examiner Signature	/J.T./	Date Considered	03/03/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* Applicant's unique citation designation number (optional). \* See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \* Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \* For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \* Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. \* Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				Application Number	10/534,689
				§ 371 Date	January 23, 2006
				First Named Inventor	Normand E. ALLAIRE
				Art Unit	1637
				Examiner Name	To Be Assigned
Sheet	1	of	1	Attorney Docket Number	2159.0340001/EKS/VSR

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
/J.T./	NPL4	Dialog File 351, Accession No. 15135610, Derwent WPI English language abstract for RU 2 194 761 C2	
/J.T./	NPL5	English translation of Georgian Search Report for Georgian Application No. AP 2003 008842, National Centre of the Intellectual Property "Sakpatenti" of Georgia, Tbilisi, Georgia, dated February 13, 2006	

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Examiner Signature	/J.T./	Date Considered	03/03/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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